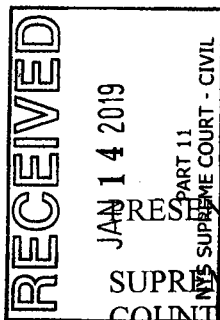


## EX PARTE MOTION OFFICE



APPROVED  
 ONLY

*Jennifer Schecter*

PRESENT: HON. JUSTICE ~~JOHN MADDEN~~

SUPREME COURT OF THE STATE OF NEW YORK  
 COUNTY OF NEW YORK

STEVEN G. SCHULMAN,

*Petitioner,*

-against-

MILBERG LLP,

*Respondent.*

At I.A.S. Part <sup>54</sup> of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse thereof, 60 Centre Street, New York, N.Y., on the <sup>16<sup>th</sup></sup> day of January, 2019.

**FILED**  
 AND FEE PAID

COUNTY CLERK'S OFFICE  
 NEW YORK

Index No. 106549/2009

ORDER TO SHOW  
 CAUSE IN CIVIL  
 ACTION

*MS# 003*

Upon reading the Judgment entered on August 14, 2009 (the "Judgment"), the Affirmation of Leslie D. Corwin in support of Petitioner's Motion Directing Respondent to Pay Petitioner Pursuant to the Judgment and Deposit Funds into an Escrow Account, Granting Petitioner Leave to Re-serve and Serve Restraining Notices, and Directing Respondent and Milberg Tadler Phillips Grossman LLP ("Milberg II") to Substantively Respond to Re-Served Information Subpoenas with Restraining Notices, dated January 10, 2019, and the exhibits attached thereto, let the Respondent show cause at I.A.S. Part <sup>54</sup>, Room <sup>228</sup>, of this Court, to be held at the Courthouse, 60 Centre Street, New York, N.Y. on the 15<sup>th</sup> day of <sup>February</sup> ~~January~~, 2019, at 12:15 o'clock in the after noon ~~or as soon as the parties to this proceeding may be heard~~ why an order should not be issued providing the following relief:

a) directing Respondent to immediately resume making payments to Petitioner under the Judgment and make the payment that became due and owing to Petitioner as of December 31, 2018;

b) directing Respondent to deposit \$500,000 into an escrow account maintained by Eisner, A.P.C. to be held until Petitioner has been paid in full pursuant to the Judgment;

c) authorizing Petitioner to draw upon the escrow account in the amount of at least \$104,304.37 each time Respondent fails to make a monthly payment to Petitioner as required by the Judgment;

d) granting Petitioner leave to re-serve restraining notices with information subpoenas on Respondent, Milberg II, and Signature Bank;

e) granting Petitioner leave to serve a restraining notice on Signature Bank to restrain the accounts of Milberg II;

f) directing Milberg and Milberg II to provide substantive responses to the re-served information subpoenas with restraining notices;

g) directing that the papers, affidavits/affirmations, exhibits, and evidence filed with this Court in connection with this Motion; the judgments, orders and decision of this Court in the above-entitled matter relating to this Motion; and the transcripts of hearing held in connection with this Motion be SEALED;

h) directing that any of the aforesaid papers, affidavits/affirmations, exhibits, evidence, judgments, orders, decisions and transcripts of hearings filed with this Court in this action relating to this Motion be kept in the custody of the Clerk of this Court or the County Clerk at the County Courthouse for the County of New York;

i) directing that the Clerk of this Court and the County Clerk not permit any person other than a party or his/its counsel to appear herein to copy, examine, or peruse the aforesaid pleadings, papers, affirmations, exhibits, evidence, judgments, orders, decisions, and transcripts of hearings; and

j) awarding Petitioner such other and further relief as the Court deems just and proper.

~~Sufficient cause appearing~~ <sup>being alleged</sup> ~~therefor,~~ <sup>IT IS hereby ORDERED that</sup> ~~service by overnight mail to Respondent's~~ <sup>and email</sup>

Counsel of a copy of this order, the affirmation in support, and all other papers upon which this order is granted upon the attorneys for all parties and all unrepresented parties who have appeared in this action on or before the 18<sup>th</sup> day of January, 2019 be deemed good and sufficient. An affidavit or other proof of service shall be presented to this Court on the return date fixed above.

ENTER

HON. JENNIFER G. SCHECTER

Opposition papers must be sent by overnight mail and email to the movant's J.S.C. counsel by noon on 1/28/19, and hard copies must be provided to the court at that time. Additionally, by 1/28/19 at noon, the parties shall e-file a letter in the related action, Index No. 650025/2019, their attaches their respective papers on this motion. These letters and attachments, along with e-filing confirmation notices, must also be emailed to the court's law clerk at MRand@nycourts.gov.

Oral argument will be on 2/1/19 at 12:15 pm.